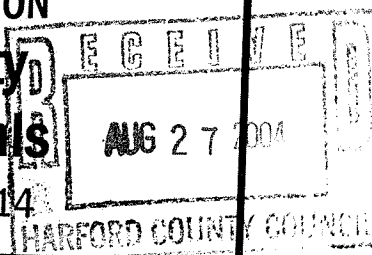


STANDARD APPLICATION  
**Harford County**  
**Board of Appeals**  
Bel Air, Maryland 21014



Case No. 5446  
Date Filed 8-26-04  
Hearing Date \_\_\_\_\_  
Receipt \_\_\_\_\_  
Fee \$450<sup>00</sup>

Shaded Areas for Office Use Only

**Type of Application**

**Nature of Request and Section(s) of Code**

CASE 5446 MAP 65 TYPE Variance

- ☐ Administrative Decision/Interpretation  
☐ Special Exception  
☐ Use Variance  
☐ Change/Extension of Non-Conforming Use  
☐ Minor Area Variance  
☐ Area Variance  
☒ Variance from Requirements of the Code  
☐ Zoning Map/Drafting Correction

ELECTION DISTRICT \_\_\_\_\_ LOCATION 1505 Philadelphia Road, Joppa, Md. 21085

BY Jack Michael and Jean Ann Wilson

Appealed because a variance pursuant to Section 267-36B, Table IV of the Harford County Code to subdivide with less than the required 100 foot minimum lot width in an R1 District requires approval by the Board.

**NOTE:** A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

**Owner (please print or type)**

Name Jack Michael & Jean Ann Wilson Phone Number 410-676-8713  
Address 1505 PHILADELPHIA ROAD Joppa MD. 21085  
Street Number Street City State Zip Code

Co-Applicant \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

Contract Purchaser \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

Attorney/Representative \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

## Land Description

Address and Location of Property 1505 PHILADELPHIA ROAD JOPPA MD  
21035

Subdivision \_\_\_\_\_ Lot Number \_\_\_\_\_

Acreage/Lot Size 1.88+<sup>ac</sup> Election District 1 Zoning R1

Tax Map No. 0045 Grid No. 0001D Parcel 530 Water/Sewer: Private \_\_\_\_\_ Public ☒

List ALL structures on property and current use: Home - currently residing  
2 SHEDS for YARD EQUIPMENT, 2 CAR GARAGE, ABOVE GROUND pool

Estimated time required to present case: 15 minutes

If this Appeal is in reference to a Building Permit, state number no

Would approval of this petition violate the covenants and restrictions for your property? no

Is this property located within the County's Chesapeake Bay Critical Area? Yes \_\_\_\_\_ No ☒

If so, what is the Critical Area Land Use designations: \_\_\_\_\_

Is this request the result of a zoning enforcement investigation? Yes \_\_\_\_\_ No ☒

Is this request within one (1) mile of any incorporated town limits? Yes \_\_\_\_\_ No ☒

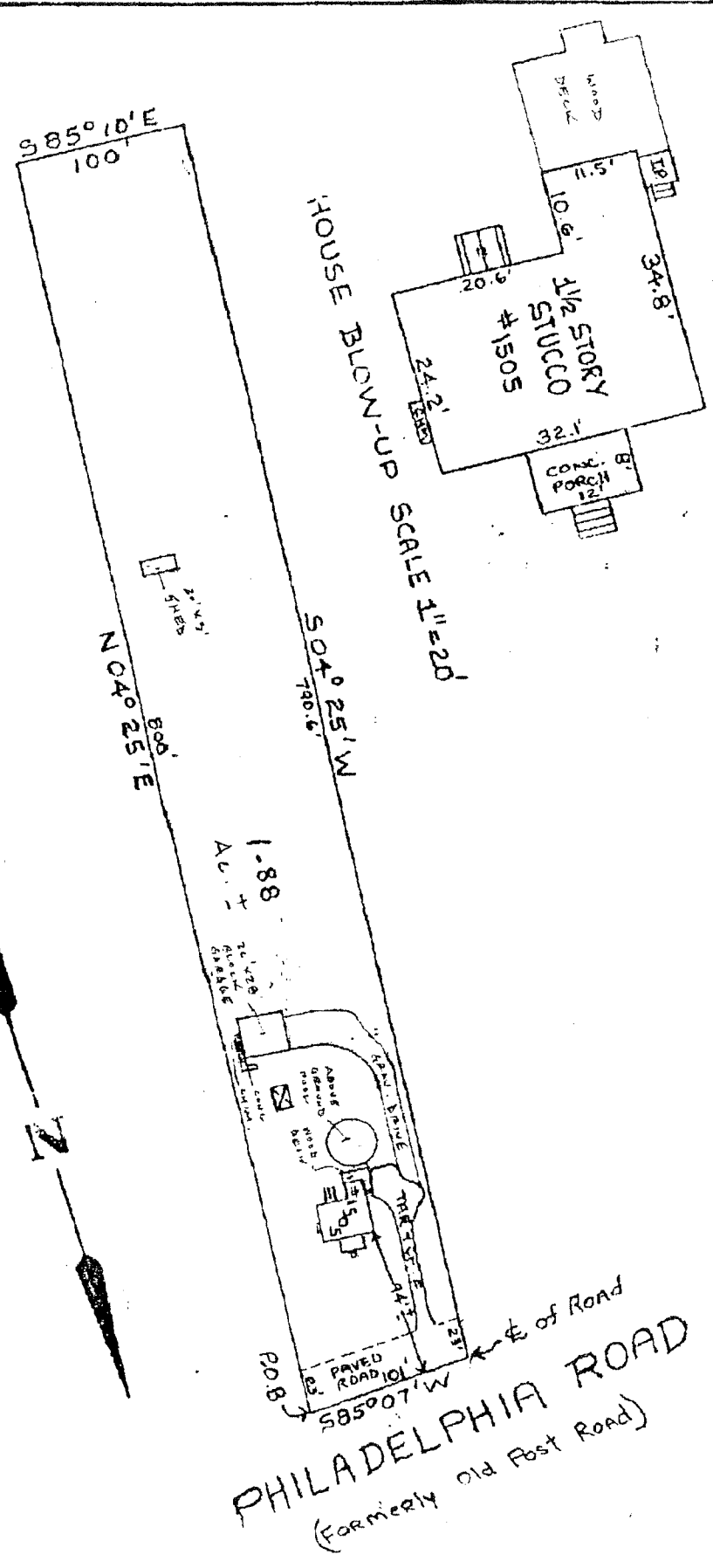
## Request

Sub divide property without adequate lot width.

## Justification

Property is uniquely shaped  
This variance won't be a detriment to the  
neighbors or adversely impact the surrounding  
community.

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*



This is to certify that I have surveyed the property known as 1505 Philadelphia Road

Sheet - of - recorded in Liber 384, Folio 206 among the Land Records of Harford County, Maryland for the purpose of locating the improvements thereon.

THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS ARE CONTAINED WITHIN THE OUTLINES OF THE LOT AND IS NOT TO BE USED TO ESTABLISH PROPERTY LINES.

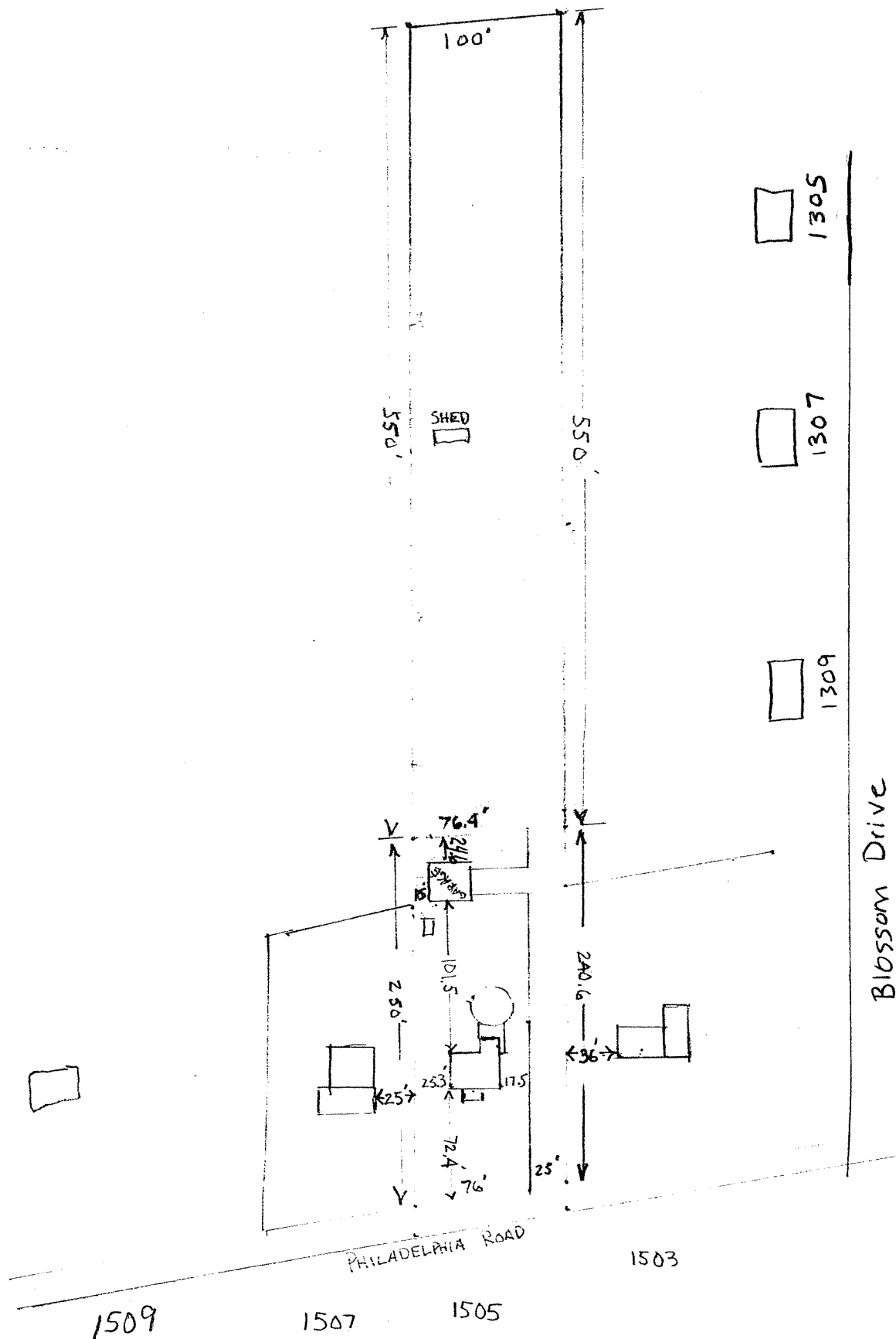


J. Carl Hudgins PLS#96

**LOCATION SURVEY**  
1505 Philadelphia Road  
1st Election District  
Harford County, Md.

NTT ASSOCIATES, INC.  
16205 Old Frederick Road  
Mt. Airy, Maryland 21771  
Phone 442-2031

Scale	1" = 100'
Date	22 SEP 93
Field By	WJA
Drawn By	WJA
Drawing #	45038



 Proposed lot

1" = 100'  
SCALE

JAMES M. HARKINS  
HARFORD COUNTY EXECUTIVE

JOHN J. O'NEILL, JR.  
DIRECTOR OF ADMINISTRATION



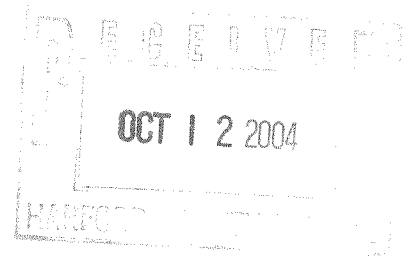
J. STEVEN KAH-ZIEGLER  
DIRECTOR OF PLANNING & ZONING

## HARFORD COUNTY GOVERNMENT

### Department of Planning and Zoning

October 11, 2004

#### STAFF REPORT



#### BOARD OF APPEALS CASE NO. 5446

APPLICANT/OWNER: Jack Michael and Jean Ann Wilson  
1505 Philadelphia Road, Joppa, Maryland 21085

REPRESENTATIVE: Applicants

LOCATION: 1505 Philadelphia Road  
Tax Map: 65 / Grid: 1D / Parcel: 530  
Election District: First (1)

ACREAGE: 1.88 acres

ZONING: R1/Urban Residential District

DATE FILED: August 26, 2004

HEARING DATE: October 27, 2004

#### APPLICANTS' REQUEST and JUSTIFICATION:

##### Request:

"Subdivide property without adequate lot width."

##### Justification:

"Property is uniquely shaped. This variance won't be a detriment to the neighbors or adversely impact the surrounding community."

*Preserving our values, protecting our future*

MY DIRECT PHONE NUMBER IS (410) 638-3103

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410-638-3000 • 410-879-2000 • TTY 410-638-3086 • [www.co.ha.md.us](http://www.co.ha.md.us)

*This document is available in alternative format upon request.*

## STAFF REPORT

Board of Appeals Case Number 5446

Jack & Jean Wilson

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### **CODE REQUIREMENTS:**

The Applicants are requesting a variance pursuant to Section 267-36B, Table IV of the Harford County Code, to subdivide with less than the required 100 foot minimum lot width in an R1/Urban Residential District.

Enclosed with the report is a copy of Section 267-36B, Table IV of the Harford County Code (Attachment 1).

### **LAND USE and ZONING ANALYSIS:**

#### Land Use – Master Plan:

The subject property is located in the southern end of the County, on the south side of Philadelphia Road, (MD Route 7), east of Clayton Road. A location map and a copy of the Applicants' site plan are enclosed (Attachments 2 and 3).

This area of the County is located within the Development Envelope. Land use designations include Low, Medium and High Intensities and Industrial/Employment. The Natural Features Map reflects parks, community centers and stream systems. The subject property is designated as Industrial/Employment, which is defined by the 2004 Master Plan as:

**Industrial/Employment** – Areas of concentrated manufacturing, distribution, technical, research, office, and other activities generally located along major transportation corridors.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 4 and 5).

#### Land Use – Existing:

The existing land uses in this area of the County are mainly consistent with the 2004 Master Plan. Residential uses include a mobile home park, single-family dwellings, townhouses, garden apartments and condominiums. Commercial uses include individual retail uses, motor vehicle related uses, professional and personal services and an integrated community shopping center. Industrial uses include light manufacturing and warehouse uses. Enclosed with the report is a copy of the aerial photograph (Attachment 6).

The subject property is a long, narrow parcel, approximately 1.88 acres in size with road frontage on the south side of Philadelphia Road (MD Route 7). The CSX Railroad right-of-way is just to the rear of the subject property. The topography of the site ranges from level to gently sloping. Most of the improvements are located on the front third of the property and consist of a single-family dwelling, a detached block and frame two-car garage with a second story, an above ground pool, a black topped driveway and a storage building located to the rear portion of the

## STAFF REPORT

Board of Appeals Case Number 5446

Jack & Jean Wilson

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property. The front half of the property is open with only a few large trees and the rear half is densely wooded. The property is nicely landscaped and all improvements appear to be well maintained. Enclosed with the report is a topography map, an enlargement of the aerial photograph and site photographs (Attachment 7, 8 and 9).

### Zoning:

The zoning classifications in the area are consistent with the intent of the 2004 Master Plan as well as the existing land uses. Residential zoning includes R1 to R4/Urban Residential Districts. Commercial zoning includes B1/Neighborhood Business, B2/Community Business and B3/General Business Districts. Industrial zoning includes LI/Light Industrial, CI/Commercial Industrial and GI/General Industrial Districts. The subject property is zoned R1/Urban Residential District as shown on the enclosed copy of the zoning map (Attachment 10).

### SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-36B, Table IV of the Harford County Code, to subdivide with less than the required 100 foot minimum lot width in an R1/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the Applicants must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The subject lot has existed in its present size and shape since prior to the adoption of the 1957 Zoning Ordinance (Attachment 11). The property is 1.88 acres in size and is zoned R1/Urban Residential. The parcel exceeds the size required to create the additional lot; however, the parcel is too narrow to create the necessary panhandle strip to the new lot and maintain the required 100 foot lot width for the front lot. Therefore, a variance is required to reduce the lot width to 76 feet for the existing dwelling. The new lot will utilize the existing driveway. The side and rear yard setbacks will still be met for the existing dwelling. Trees have been planted along the driveway and the rear of the property where the second dwelling will be located. The request should have no adverse impact on the intent of the Code or on adjacent properties.

### RECOMMENDATION and/or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the request be approved subject to the following conditions:

1. The Applicants shall submit a preliminary plan for review and approval by the Department of Planning and Zoning.

STAFF REPORT

Board of Appeals Case Number 5446

Jack & Jean Wilson

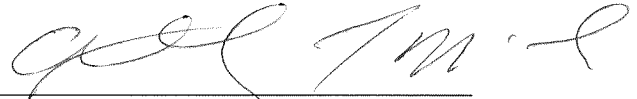
Page 4 of 4

2. The Applicants shall submit a final plat to the Department of Planning and Zoning for review and approval.
3. The Applicants shall obtain all necessary permits and inspections for the construction of the new dwelling.



Dennis J. Sigler, Coordinator  
Zoning & Board of Appeals Review

DJS/ASM/ka



Anthony S. McClune, AICP  
Deputy Director, Planning and Zoning